

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-12 are pending in the present application with Claims 1, 3, 6, 9, 10 and 12 having been amended by the present amendment.

In the outstanding Office Action, Claim 3 was rejected under 35 U.S.C. § 112, second paragraph; Claims 1, 2 and 4-9 were rejected under 35 U.S.C. § 102(e) as anticipated by Krivokapic et al.; Claim 2 was rejected under 35 U.S.C. § 103(a) as unpatentable over Krivokapic et al.; Claims 10 and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Krivokapic et al. in view of Kato; and Claim 12 was indicated as allowable if rewritten in independent form.

Regarding the rejection of Claim 3 under 35 U.S.C. § 112, second paragraph, Claim 3 has been amended to correspond with the lengths recited in Claim 1. Accordingly, it is respectfully requested this rejection be withdrawn.

Claims 1, 2 and 4-9 stand rejected under 35 U.S.C. § 102(e) as anticipated by Krivokapic et al. This rejection is respectfully traversed.

Amended Claim 1 is directed to a semiconductor device in which when a first length, which is a length of a gate insulation film adjacent to the surface layer on the gate electrode side along a channel length direction, is L1, a second length, which is length of the gate insulation film adjacent to the surface layer on the channel side along the channel length direction, is L2, and a third length, which is a length of a bottom part of the gate electrode parallel to the channel length direction, is L3, the length L1 is longer than the length L2, and the length L3 is longer than the length L1. Independent Claim 9 includes similar features.

In a non-limiting example, Figure 22H illustrates a first length (L1), which is a length of the gate insulation film 14 adjacent to the surface layer on the gate electrode 15 side along

a channel length direction, is a second length (L2), which is a length of the gate insulation film 14 adjacent to the surface on the channel side along the channel length direction, and a third length (L3), which is a length of a bottom part of the gate electrode 15 parallel to the channel length direction. Further, as shown, the length L1 is longer than the length L2, and the length L3 is longer than the length L1.

That is, the bottom part of the gate electrode 15 has a larger length than that of a contact length of the gate insulation film 14 adjacent to the surface layer on the gate electrode 15 along the channel length direction.

On the contrary, as shown in Figure 20 of Krivokapic et al., a length of a bottom part of the gate electrode 220 parallel to the channel length direction is not longer than a length of the gate insulation film 210 adjacent to the surface layer on the gate electrode 220 side along the channel length direction.

Thus, it is respectfully submitted independent Claim 1 and 9 and each of the claims depending therefrom patentably define over Krivokapic et al.

Further, it is respectfully submitted the rejection of Claim 3 under 35 U.S.C. § 103(a) as unpatentable over Krivokapic et al. has also been overcome as Claim 3 depends on Claim 1, which as discussed above is believed to be allowable.

Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Krivokapic et al. in view of Katoh. This rejection is respectfully traversed.

Similar arguments apply to independent Claim 10 as that discussed above with respect to independent Claims 1 and 9. As noted above, Krivokapic et al. does not teach or suggest the claimed length L3 being longer than the length L1. Further, Katoh also do not teach or suggest these features.

Accordingly, it is respectfully requested this rejection also be withdrawn.

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Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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